SCTC No. 578

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES (1997-98)

(ELEVENTH LOK SABHA)

TENTH REPORT

MINISTRY OF PETROLEUM AND NATURAL GAS

Reservation for Scheduled Castes and Scheduled Tribes in allotment of Gas and Petrol Agencies

सत्यमेव जयते

Presented to Lok Sabha on 5-8-97

Laid in Rajya Sabha on 5-8-97

LOK SABHA SECRETARIAT
NEW DELHI

August, 1997/Shravana, 1919(S)

Price: Rs. 9.00

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COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES (1997-98)

Shri Khagapati Pradhani—*Chairman*

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2. Shri B.R. Kanathia—*Director*

INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, having been authorised by the Committee to submit the Report on their behalf, present this Tenth Report (Eleventh Lok Sabha) on Reservation for Scheduled Castes and Scheduled Tribes in allotment of Gas and Petrol Agencies.

2. The Committee took evidence of the representatives of the Ministry of Petroleum and Natural Gas on 9th April 1997. The Committee wish to express their thanks to the Officers of the Ministry of Petroleum and Natural Gas for placing before the Committee material and information the Committee wanted in connection with the examination of the subject.

3. The Report was considered and adopted by the Committee on 31 July, 1997.

4. A summary of conclusions/recommendations contained in the Report is appended.

NEW DELHI;
5 *August*, 1997

Shravana, 1919 *(Saka)*

KHAGAPATI PRADHANI,
Chairman,
Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

CHAPTER I

INTRODUCTORY

1.1 The Committee were informed that for the award of dealerships/ distributorships of Petroleum products there are four Oil Companies *viz.* Indian Oil Corporation Limited (IOC), Hindustan Petroleum Corporation Limited (HPCL), Bharat Petroleum Corporation Limited (BPCL) and IBP Company Limited. These companies are presently engaged, in the business of marketing of various petroleum products. For these companies there is a uniform procedure or policy guidelines issued by the Ministry of Petroleum and Natural Gas for the award of dealerships/distributorships of Petroleum Products.

1.2 The following types of products are marketed through Retail Network:—

(i) Petrol & Diesel (MS/HSD)—Retail outlet dealership

(ii) Liquified Petroleum Gas (LPG)—LPG Distributorship

(iii) Superior Kerosene & Light—Kerosene dealership Diesel Oil (SKO/LDO)

CHAPTER II

(a) Reservation

2.1 The Committee were informed that after nationalisation of the multinational Oil Companies in 1975, the Government issued a uniform policy for award of dealership/agency of the Oil Companies which also laid down reservation of 25% dealership/distributorship for SC/ST categories. The Committee were further informed that although guidelines were issued in 1977 but its execution started only after 1980 *i.e.*, after introduction of the concept of 'Marketing Plan'.

2.2 When asked about the constraints due to which reservation guidelines issued by the Government in 1977 could not be executed till 1980, the Ministry of Petroleum and Natural Gas in their post evidence note furnished to the Committee have stated that main constraints in the effective implementation of reservation policy during the above period were as under:—

(i) Other Oil Companies like HPCL and BPCL were taken over by the Government and they took their own time to come to terms with the Government guidelines.

(ii) At that time there was no provision for carry over of unfilled vacancies. In the absence of suitable SC/ST candidates, locations had to be decategorised to 'Open' category.

2.3 The Committee also desired to know the concept of "Marketing Plan" and future Marketing Plan for which Ministry of Petroleum and Natural Gas have stated as under:—

(i) Implementation of category-wise reservation.

(ii) Sharing of dealerships/distributorships by the Oil Companies as per stipulated %age of their market share.

(iii) To develop dealerships/distributorships in a planned manner on Industry basis in different parts of the country.

In the approved Marketing Plan 1993—96 for RO & SKO and 1994—96 for LPG distributorship, which is currently under execution 1040 petrol/diesel retail outlets, 1191 LPG distributorships and 120 kerosene oil dealerships have been included. The Marketing Plan for 1996—98 is yet to be finalised.

2.4 Apart from reservation of 25% dealership/distributorship for SC/ST categories, taking into account the fact that majority of population in the

States of Arunachal Pradesh, Meghalaya, Nagaland and Mizoram belong to ST categories, the percentage of reservation for ST categories was increased in line with the population in these States, which is given below:—

Arunachal Pradesh	— 70%
Meghalaya	— 80%
Nagaland	— 80%
Mizoram	— 90%

2.5 On being enquired about the percentage of reservation for SC in those States where ST population is negligible, the Ministry of Petroleum and Natural Gas in their post evidence reply have stated that in States other than Arunachal Pradesh, Meghalaya, Mizoram and Nagaland, 25% of the dealerships/distributorships are reserved for SC/ST category. The interse allocation between SC and ST in those States is based on their population and made on the basis of a 100 point Roster.

2.6 During the evidence the Committee desired to know whether reservation for Scheduled Castes and Scheduled Tribes categories in allotment of Gas and Petrol Agencies was on National and regional basis, the representative of the Ministry of Petroleum and Natural Gas stated that it varied from State to State depending on population distribution in a particular State except in the North East region.

2.7 The Committee observe that on the one hand the representatives of the Ministry stated that an over all percentage of 25% has been prescribed for Scheduled Castes and Scheduled Tribes categories in allotment of Gas and Petrol Agencies and on the other they state that the percentage of reservation in respect of SC/ST categories varies from State to State depending on the proportion of the population of the State, except in the States of Arunachal Pradesh, Meghalaya, Nagaland and Mizoram where the percentage of reservation is 70%, 80%, 80% and 90% respectively. The Committee fail to understand the contradictory version of the representatives of the Ministry.

2.8 The Committee note with dismay that as per 1991 census of India in each State where percentage of total Scheduled Castes and Scheduled Tribes population is less than 25% or more, reservation of 25% has been prescribed as per guidelines issued by the Ministry of Petroleum and Natural Gas. For instance, in the State of Kerala and Haryana the percentage of total SC/ST population is 11% and 19.75%, similarly, in Orissa and Tripura it is 38.41% and 47.31% respectively whereas the reservation prescribed by the Government is only 25 per cent. The Committee regret to note that there is no justification for such reservation

which do not serve the purpose of constitutional safeguard provided to Scheduled Castes and Scheduled Tribes people. The Committee, therefore, recommend that keeping in view the SC/ST population of 1991 census, the present guidelines issued by the Government should be revised and be made applicable in proportion to the SC/ST population of each State. The Committee also desire that percentage of reservation in each States/Union Territories should be revised in proportion to the population of SCs/STs therein after every population census.

(b) Eligibility Criteria

2.9 The Committee were informed that for obtaining dealerships/ distributorships of pertroleum products candidates have to meet the following criteria:

Nationality — Indian Nationals.

Age on the date of application:

(i) For SC/ST, PH, DEF and OPEN cateogries:
Minimum — 21 years
Maximum — 50 years

(ii) Freedom Fighters — No age limit.

(iii) Outstanding Sportspersons — 35 years and above.

Educational Qualification:

(i) For SC/ST, PH, DEF and OPEN category	Matriculation or equivalent.
(ii) For FF and DSP cateogires	Not applicable

Residency

(a) For SC/ST and physically Handicapped in PH category	Residents of adjoining districts as mentioned in the advertisement with preference to the district concerned.
(b) FF and OPEN categories	Residents of the concerned district.
(c) DEF, OSP and other than Physically Handicapped in PH category	Residents of any district in the State.

Income

Individuals	Rs. 50,000/- per annum
Co-operative Societies	No ceiling

Relationship

The existing provision is as given below:

(a) No person or a consumer Cooperative Society shall be awarded a

new dealership/distributorship if the applicant or the Consumer Cooperative Society already holds a dealership/distributorship of LPG/Kerosene/LDO/HSD/MS/Lubricating Oil of any Oil Company.

(b) No person shall be awarded a new dealership/distributorship if any of the following close relatives (including step relatives) of the person already holding a dealership/distributorship of any petroleum products of any Oil Company.

For SC/ST, DEF, FF, OSP and other than Physically Handicapped candidates in PH category	For PH candidates only
(i) Spouse	(i) Spouse
(ii) Father/Mother/Step Father/ Step Mother	(ii) Father/Mother/Step Father/ Step Mother
(iii) Brother/Sister/Step Brother	Son/Daughter-in-law/Step son
(iv) Son/Daughter/Step Son/ Step Daughter	
(v) Son-in-law/Daughter-in-law	
(vi) Parents-in-law	

2.10 As regards relaxation in the eligibility criteria so far as the income of the applicant is concerned, the Ministry in their post evidence note furnished to the Committee have informed that the income of Rs. 50,000 per annum for award of dealership was the maximum limit fixed by the Government and not the minimum limit. That is to say that eligible SC/ST candidates having a meagre income below Rs. 50,000 per annum can also apply for dealerships/distributiorships. It may also be added that in view of the increase in the per capita income of the country during the past years, the existing ceiling of Rs. 50,000 p.a. which has been in existance for a long time has recently been revised to Rs. 2 lakhs per annum. This will not in any way adversely affect the chances of low income group candidates including those belonging to SC/ST category in getting the dealerships/ distributorships.

2.11. The Committee observe that no relaxation of any sort has been provided for SC/ST categories in the eligibility criteria. However, the representative of the Ministry of Petroleum and natural Gas stated during the evidence that the maximum age for SCs and STs has now been increased from 50 to 60 years.

2.12 The Committee note that the people belonging to Scheduled Caste and Scheduled Tribe categories are generally come from socially, economically and educationally backward strata of the society and therefore, may not be in a position to fulfil all the eligible criteria. The Committee, therefore, recommend that keeping in view the social conditions

of SCs/STs people relaxation should be given to them in educational qualification and other eligibility criteria while considering their eligibility for allotment of Gas and Petrol Agencies.

CHAPTER III

(a) Selection

3.1 The Committee were informed that the selection Committee for selection of Scheduled Caste and Scheduled Tribe candidates would be the same as for the other candidates with the addition of a representative of the State Government not below the rank of Deputy Secretary to the State Government. The selection Committee for all other candidates consists of a representative of the concerned Oil Company and one representative each of the two other major public sector Oil Companies. As per revised guidelines issued by the Ministry on 28.5.85, it was further informed that after the evaluation, the Oil Selection Board finalises a panel of not more than three names. On finalisation of the panel of three names, Oil Selection Boards communicate to all the other applicants that they have not been included in the panel for dealership/distributorship.

3.2 On being enquired about the large number of applications pending for interview for allotment of Gas/Petrol Agencies it was stated by the representative of the Ministry of Petroleum and Natural Gas that a number of complaints were received in respect of system of selection through the Oil Selection Board. This system, therefore, has been suspended in respect of interviews. The Government have issued new instructions wherein procedure for selection of dealership has been changed. It is now called Dealer Selection Board and will come into force from 1st April, 1997. It has further been stated that new procedure will be followed for inviting applications as well as for interviews.

3.3 The Committee further asked about the composition of the Board, it was stated that it will be headed by a retired High Court Judge. It was also stated that Hon'ble Minister for Petroleum and Natural Gas was consulting different Chief Ministers to get their opinion about Chairmanship. It is a three Member Board and other two Members will be, from officers not below the rank of Deputy General Manager of the concerned Oil Company and one from another oil company.

3.4 In reply to the queries of the Committee relating to inclusion of SC/ ST representative in the Selection Committee, preparation of exclusive panel for SC/ST applicants and reasons for rejection of applications, the Ministry in their post evidence reply have stated that for the locations reserved for SC/ST category only SC/ST candidates can apply and the Board has to draw a merit panel on the basis of the interviews of the SC/ ST candidates. Therefore, it is felt that there is no need to appoint a representative of SC/ST community on the Board. Merit panel is prepared for each location including that reserved for SC/ST category

separately. In other words, the merit panel for a location reserved for SC/ ST category is different from the one reserved for Physically Handicapped or Defence or any other category. Applications are rejected only on the ground of the candidate not meeting the eligibility criteria. There is no system to communicate the reasons for rejection to the applicants.

3.5 The Committee note with displeasure that neither previous Oil Selection Board nor present Dealer Selection Board includes any person belonging to Scheduled Caste/Scheduled Tribe category either from State Government or from Oil Companies to give adequate representation to these categories. The Committee recommend that the Government should take appropriate action to modify the existing instructions accordingly and if it is not possible to include SC/ST person in the Board a person belonging to Scheduled Caste/Scheduled Tribe category should be co-opted in the Board.

(b) Assistance on allotment of agency

3.6 The Committee were informed that in order to assist SC/ST allottees in developing dealerships/distributorships of petroleum products, Government have notified a financial assistance scheme with effect from 1.4.1992 under which dealerships/distributorships, complete in all respect including delivery system are handed over to SC/ST allottees. In addition, such allottees are also extended a working capital loan.

3.7 When the Committee desired to know about the assistance provided to the allottees of dealerships/distributorships of Petroleum Products, it was stated during the evidence that financial Assistance Scheme came into force with effect from 01.4.1992. After finalisation of the Marketing Plan all the companies start applying for locations which are earmarked for SCs and STs without waiting for the selection of dealers or distributors. It was further stated that before the appointment of the dealer, Oil Companies starts/locating land in that particular areas because in case of SC/ST applicant, it is the responsibility of the Company to assist such applicant. It has also been stated that as far as the retail outlets development is concerned, there are two components, one is companies—owned stations and other is dealers-owned stations. Previously, for SC/ST categories 25 percent in each State was also coming under the dealers-owned category. After the introduction of this scheme in April 1992 all reserved categories for retail outlet dealerships will be companies owned-stations. Similarly, for LPG dealership under the financial assistance programme, the land, Godown and showroom are now being organised by the Company. In the Kerosene dealership, the land for setting up of the base storage assistance is given by the Company.

3.8 As regards the number of SC/ST allottees who have been provided financial assistance during the last three years, the Ministry of Petroleum & Natural Gas have furnished the following data for the period from 1.1.1994 to 31.3.1997:—

Product	Number of beneficiary SC/ST allottees	Amount of working capital loan (Rs. in lakhs)
RO	296	748.71
LPG	173	100.85

3.9 The Committee are happy to note that under the financial assistance scheme dealerships/distributorships, complete in all respect including delivery system are handed over to SC/ST allottees and other assistance such as acquisition of land, finance and establishment of other infrastructure are being provided to SC/ST allottees. The Committee also note that as per instructions issued by the Ministry of Petroleum and Natural Gas, candidates of all categories selected for award of agencies have to arrange the necessary land/finance within 4 months of the selection failing which the Oil Companies will have the right to award the agency to the next person in the panel. The Committee are of the view that providing all help to SC/ST allottees by the Oil Companies to establish all infrastructure for dealerships/distributorships is a right step towards upliftment of these people. The Committee, however, desire that in case there is some delay in arranging land, finance etc. by SC/ST people they may be given some more time beyond 4 months to arrange the same.

CHAPTER IV

(a) Allotment of Dealerships/Distributorships by Oil Companies

4.1 The Committee were informed that total number of Retail outlets (Petrol and Diesel)/Liquified Petroleum Gas (LPG)/Superior Kerosene outlets and Light Diesel Oil (SKO/LDO) dealerships allotted category-wise by different Oil Companies in various States and Union Territories as on 1.10.96 were as under:—

State-wise category-wise retail outlets as of 1.10.96

STATES	SC	ST	UG/ UEG	PH	DC	FF	OTH.	OPEN	TOTAL
ANDHRA PRADESH	70	23	58	36	17	13	17	1029	1263
ARUNACHAL PRADESH	0	22	0	0	0	0	1	7	30
ASSAM	12	25	9	12	4	4	2	282	350
BIHAR	67	32	66	45	13	16	16	817	1072
GOA	4	0	1	1	0	1	0	59	66
GUJARAT	36	34	45	31	11	9	30	849	1045
HARYANA	52	0	20	22	8	7	14	436	559
HIMACHAL PRADESH	10	0	6	5	3	1	3	61	8
JAMMU & KASHMIR	4	0	6	4	6	1	3	100	126
KARNATAKA	65	4	51	28	7	8	24	816	1003
KERALA	37	2	23	20	9	6	10	636	743
MADHYA PRADESH	28	48	43	27	14	9	17	799	985
MAHARASHTRA	47	41	58	42	22	9	38	1365	1622
MANIPUR	0	11	3	1	2	0	0	13	30
MEGHALAYA	0	32	0	1	0	0	0	25	58
MIZORAM	0	10	0	0	0	0	0	4	14
NAGALAND	0	13	0	0	0	0	0	17	30
ORISSA	22	18	27	12	3	1	6	254	353
PUNJAB	72	0	41	22	14	8	8	855	1020
RAJASTHAN	68	42	55	39	15	14	15	739	987
SIKKIM	0	1	1	1	0	0	0	9	12
TAMILNADU	128	4	76	55	18	14	11	1190	1496
TRIPURA	0	4	0	0	0	0	0	28	32
UTTAR PRADESH	75	0	72	70	36	37	77	1771	2238
WEST BENGAL	69	11	64	28	14	5	12	849	1052
ANDAMAN & NICOBAR	0	0	0	0	0	0	2	1	3
CHANDIGARH	2	0	0	2	0	0	11	20	35
DADAR & NAGAR HAVELI	0	2	0	0	0	0	0	2	4
DELHI	6	0	13	0	15	1	38	207	280
DAMAN & DIU	1	0	0	0	0	0	0	5	6
LAKSHADWEEP	0	0	0	0	0	0	0	0	0
PONDICHERRY	6.	0	1	2	0	0	0	21	30
ALL INDIA	981	379	738	506	231	164	355	13276	16630

SC: Scheduled Caste; ST: Scheduled Tribe; UG: Unemployed Graduate; UEG: Unemployed Engg. Graduate; PH: Physicaly Handicapped; DC: Defence Category; FF: Freedom Fighter; OTHERS: Includes Social Worker Category. dealerships given on Compassionate grounds/under Discretionary quota, Two/ Three Wheeler outlets and Company Owned and Operated outlets.

Statewise LPG Distributors categorywise as of 1.10.96

STATES	SC	ST	UG/ UEG	PH	DC	FF	OTH	OPEN	ADHOC	TOTAL
ANDHRA PRADESH	42	18	55	29	20	13	190	77	0	444
ARUNACHAL PRADESH	0	6	0	0	0	0	6	4	0	16
ASSAM	10	17	19	14	4	5	41	31	0	141
BIHAR	23	12	26	17	14	9	48	51	6	206
GOA	5	0	3	1	1	1	11	10	1	33
GUJARAT	19	35	44	27	20	11	92	109	2	359
HARYANA	27	0	19	14	19	7	28	48	5	167
HIMACHAL PRADESH	6	2	6	3	0	1	33	5	11	67
JAMMU & KASHMIR	7	0	5	3	0	1	53	13	5	87
KARNATAKA	43	2	42	26	23	9	74	70	3	292
KERALA	34	3	44	20	16	8	10	59	2	196
MADHYA PRADESH	16	28	27	28	18	10	89	85	1	302
MAHARASHTRA	41	30	59	48	8	11	229	244	0	680
MANIPUR	0	5	1	1	0	0	7	3	0	17
MEGHALAYA	0	6	0	0	0	0	4	6	0	16
MIZORAM	0	5	1	0	0	0	5	2	0	13
NAGALAND	0	7	0	0	0	0	6	2	0	15
ORISSA	6	12	12	9	1	3	29	29	1	102
PUNJAB	42	0	31	21	13	9	70	56	3	245
RAJASTHAN	24	14	34	24	7	8	51	58	2	222
SIKKIM	0	0	0	0	0	0	2	0	0	2
TAMILNADU	68	3	78	36	26	13	43	111	2	380
TRIPURA	0	4	1	1	1	0	5	2	0	14
UTTAR PRADESH	95	0	65	45	57	24	225	148	1	660
WEST BENGAL	43	9	27	20	15	9	82	95	3	303
ANDAMAN & NICOBAR	0	0	0	0	0	0	1	0	0	1
CHANDIGARH	6	0	4	2	2	1	10	5	0	30
DADAR & NAGAR HAVELI	0	0	0	0	0	0	0	1	0	1
DELHI	32	0	21	14	39	5	95	64	0	270
DAMAN & DIU	0	0	1	1	0	0	0	0	0	2
LAKSHADWEEP	0	0	0	0	0	0	1	0	0	1
PONDICHERY	2	0	2	1	1	0	0	5	0	11
ALL INDIA	591	238	627	405	305	158	1540	1393	48	5305

Statewise categorywise SKO/LDO dealerships as of 1.10.1996

STATES	SC	ST	UG/ UEG	PH	DC	FF	OTH.	OPEN	TOTAL
ANDHRA PRADESH	26	6	19	12	25	3	12	502	605
ARUNACHAL PRADESH	0	19	0	0	0	0	0	15	34
ASSAM	14	18	14	6	8	1	0	297	358
BIHAR	28	10	26	16	17	6	5	315	423
GOA	0	0	2	1	2	1	0	14	20
GUJARAT	16	30	29	19	5	9	3	372	483
HARYANA	12	0	3	2	20	1	5	102	145
HIMACHAL PRADESH	2	0	0	1	3	0	0	20	26
JAMMU & KASHMIR	3	0	5	0	2	0	1	27	38
KARNATAKA	18	0	10	5	16	2	19	248	318
KERALA	4	1	6	3	19	0	2	203	238
MADHYA PRADESH	19	12	17	11	19	3	2	283	366
MAHARASHTRA	50	34	38	35	20	8	19	519	723
MANIPUR	1	7	3	1	6	0	0	16	34
MEGHALAYA	1	17	0	0	1	0	0	16	35
MIZORAM	0	6	0	0	0	0	0	11	17
NAGALAND	0	8	0	0	1	0	0	10	19

STATES	SC	ST	UG/ UEG	PH	DC	FF	OTH.	OPEN	TOTAL
ORISSA	7	3	5	6	11	0	1	142	175
PUNJAB	7	0	5	3	24	1	0	198	238
RAJASTHAN	15	4	6	3	8	1	1	207	245
SIKKIM	0	1	0	1	0	0	3	7	12
TAMILNADU	20	0	17	7	33	3	3	375	458
TRIPURA	0	1	2	0	0	0	0	36	39
UTTAR PRADESH	31	0	31	13	35	4	24	548	686
WEST BENGAL	33	8	16	14	11	4	2	369	457
ANDAMAN & NICOBAR	0	0	0	0	0	0	0	1	1
CHANDIGARH	1	0	0	0	3	0	0	7	11
DADAR AND NAGAR HAVELI	0	0	0	0	0	0	0	2	2
DELHI	14	0	7	5	8	2	10	61	107
DAMAN & DIU	1	0	0	0	0	0	1	3	5
LAKSHADWEEP	0	0	0	0	0	0	0	0	0
PONDICHERY	1	0	0	0	1	0	0	6	8
ALL INDIA	324	185	261	164	298	49	113	4932	6326

SC: Scheduled Caste: ST: Scheduled Tribe. UG: Unemployed Graduate, UEG:Unemployed Engg. Grad. PH: Phys. Handicapped; DC: Defence Category FF: Freedom Fighter; OTHERS: Includes Social Worker Category. dealerships given on Compassionate grounds/under Discretionery quota, Two/Three Wheeler outlets and Company Owned and Operated outlets.

4.2 It is observed from the above statements that the percentage of SC/ ST allottees of Retail outlets, LPG distributorship and SKO/LDO dealerships all over the country as on 1.10.96 was as under:-

	Total allottees	SC/ST	Percentage of SC/ST allottee
(i) Retail outlet	16630	1360	8.17%
(ii) LPG	5305	829	15.43%
(iii) SKO/LDO	6326	509	8.04%
Total of (i) (ii) (iii)		SC/ST	%
	28261	2698	9.54%

4.3 When the Committee desired to know about the reasons for low percentage of SC/ST allottees in RO/LPG/SKO/LDO dealerships/distributorships and steps taken to achieve minimum percentage in case of SC/ST allottees, the Ministry in their post evidence note have stated that till 1977 the distribution and marketing of petroleum products were mainly in the hands of private companies like Caltex. Burma Shell etc. Selection of dealers/distributors by them was made purely on their commercial interest. It was only from September 1977 that the Government instructed the Oil Marketing Companies to reserve 25% of dealerships/distributorships for SC/ST category. However, the above instructions could be effectively implemented only after the introduction of Marketing Plan in 1980. Since 1980-81 the number of retail outlets and LPG distributorships allotted through the Marketing Plans and the number of SC/ST category among them is as under:—

	RO	LPG
Total	4717	3386
SC	943	622
ST	410	267
%age of SC/ST	28.68	26.25

It may be seen that w.e.f. 1980-81 the Oil Industry is achieving the prescribed 25% reservation for SCs/STs in the allotment of dealerships/ distributorships.

4.4 The Committee note that the execution of the reservation guidelines started in 1980 and as per Ministry the Oil Industry is achieving the percentage of 25% reservation w.e.f. 1980-81 for SC/ST in the allotment of dealership/distributorship. The Committee also note that although the percentage of reservation has been achieved after 1980 but the overall percentage of SC/ST allottees all over the country is 9.54% which is alarming. The Committee feel that sincere efforts have not been made by the Ministry of Petroleum and Natural Gas and Oil Companies to give due representation to Scheduled Castes and Scheduled Tribes people. The Committee, therefore, desire that the Ministry should make a review of the situation and take all necessary steps in their prospective marketing plan so as to achieve the stipulated target prescribed by the Government for Scheduled Caste and Scheduled Tribe categories.

(b) Roster and Monitoring

4.5 The Committee were informed that Oil Industry maintain State-wise 100 points roster for different categories. It was further stated that it is basically for the Oil Companies to ensure that prescribed reservation for SCs/STs is achieved. In addition to the Action Taken by the Industry in this regard, monitoring of reservation for different sections of the society including SCs/STs is done by the Ministry from time to time and particularly at the time of considering the Marketing Plan.

4.6 On being enquired about the inspection of rosters maintained by the Oil Companies and nature of monitoring being done by the Ministry to ensure due compliance of reservation in allotment of Gas/Petrol agencies to SC/ST people, the Ministry in their post evidence note have submitted that the marketing Plan in respect of dealerships/distributorships to be opened in different parts of the country are prepared by the Oil Industry on the basis of the market survey. Locations included in the Marketing Plan are earmarked for various categories as per the 100-point Roster Statewise/Industry basis and is subsequently approved by the Government after necessary scrutiny/verification. Progress of implementation of the Marketing Plan and the allotments made under various categories are monitored through periodical reports and meetings. Deficiencies/ shortcomings noticed by the Government are brought to the notice of the Oil Industry for remedial action. There is no separate inspection of the roster by the Government as it is not considered necessary and monitoring of the progress is a continuous process.

4.7 The Committee note that progress of implementation of the Marketing Plan and the allotment made under various categories are monitored through periodical reports, meetings and deficiencies/shortcomings noticed by the Government are brought to the notice of the Oil Companies. However, the Committee desire that the roster registers maintained by

different Oil Companies should be inspected at regular intervals by a designated officer of the Ministry and discrepancies noted during such inspections should be rectified. The Committee also stress that Ministry of Petroleum and Natural Gas should esnure strict compliance and monitor the implementation of reservation provisions by the Oil Industry.

NEW DELHI;
August, 1997

Shravana, 1919 (S)

KHAGAPATI PRADHANI,
Chairman,
Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

APPENDIX

(*Vide* Para 4 of Introduction)

Summary of Conclusions/Recommendations contained in the Report

Sl. No.	Para No.	Conclusions / Recommendations
1	2	3
1.	2.8	The Committee note with dismay that as per 1991 census of India in each State where percentage of total Scheduled Castes and Scheduled Tribes population is less than 25% or more, reservation of 25% has been prescribed as per guidelines issued by the Ministry of Petroleum and Natural Gas. For instance, in the State of Kerala and Haryana the percentage of total SC/ST population is 11% and 19.75%, similarly, in Orissa and Tripura it is 38.41% and 47.31% respectively whereas the reservation prescribed by the Government is only 25 percent. The Committee regret to note that there is no justification for such reservation which do not serve the purpose of constitutional safeguard provided to Scheduled Castes and Scheduled Tribes people. The Committee, therefore, recommend that keeping in view the SC/ST population of 1991 census, the present guidelines issued by the Government should be revised and be made applicable in proportion to the SC/ST population of each State. The Committee also desire that percentage of reservation in each States/Union Territories should be revised in proportion to the population of SCs/STs therein after every population census.
2.	2.12	The Committee note that the people belonging to Scheduled Castes and Scheduled Tribe categories are generally come from socially, economically and educationally backward strata of the Society and therefore, may not be in a position to fulfil all the eligible criteria. The Committee, therefore, recommend that keeping in view the social conditions of SCs/STs people relaxation should be given to them in educational qualification and other eligibility criteria while considering their eligibility for allotment of Gas and Petrol Agencies.

1	2	3
3.	3.5	The Committee note with displeasure that neither previous Oil Selection Board nor present Dealer Selection Board includes any person belonging to Scheduled Caste/ Scheduled Tribe category either from State Government or from Oil Companies to give adequate representation to these categories. The Committee recommend that the Government should take appropriate action to modify the existing instructions accordingly and if it is not possible to include SC/ST person in the Board a person belonging to Scheduled Caste/Scheduled Tribe category should be co-opted in the Board.
4.	3.9	The Committee are happy to note that under the financial assistance scheme dealerships/distributorships, complete in all respect including delivery system are handed over to SC/ST allottees and other assistance such as acquisition of land, finance and establishment of other infrastructure are being provided to SC/ST allottees. The Committee also note that as per instructions issued by the Ministry of Petroleum and Natural Gas, candidates of all categories selected for award of agencies have to arrange the necessary land/finance within 4 months of the selection failing which the Oil Companies will have the right to award the agency to the next person in the panel. The Committee are of the view that providing all help to SC/ST allottees by the Oil Companies to establish all infrastructure for dealerships/distributorships is a right step towards upliftment of these people. The Committee, however, desire that in case there is some delay in arranging land, finance etc. by SC/ST people they may be given some more time beyond 4 months to arrange the same.
5.	4.4	The Committee note that the execution of the reservation guidelines started in 1980 and as per Ministry the Oil Industry is achieving the percentage of 25% reservation w.e.f. 1980-81 for SC/ST in the allotment of dealership/ distributorship. The Committee also note that although the percentage of reservation has been achieved after 1980 but the overall percentage of SC/ST allottees all over the country is 9.54% which is alarming. The Committee feel that sincere efforts have not been made by the Ministry of Petroleum and Natural Gas and Oil Companies to give due representation to Scheduled Castes and Scheduled Tribes people. The Committee, therefore, desire that the Ministry should make a review of the situation and take all necessary steps in their prospective marketing plan so as to

1	2	3
		achieve the stipulated target prescribed by the Government for Scheduled Caste and Scheduled Tribe categories.
6.	4.7	The Committee note that progress of implementation of the Marketing Plan and the allotment under various categories are monitored through periodical reports, meetings and deficiencies/shortcomings noticed by the Government are brought to the notice of the Oil Companies. However, the Committee desire that the roster registers maintained by different Oil Companies should be inspected at regular intervals by a designated officer of the Ministry and discrepancies noted during such inspections should be rectified. The Committee also stress that Ministry of Petroleum and Natural Gas should ensure strict compliance and monitor the implementation of reservation provisions by the Oil Industry.